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31 May 63(?)

MEMORANDUM FOR: Deputy Director (Research)

SUBJECT: NRO Organization

1. The memorandum from the Secretary of Defense to the Chairman of the Joint Chiefs of Staff and The Director, NRO, dated 31 May 1963, has been changed as follows: In paragraph b. the words "to be performed" have been omitted at the end of the second sentence. A new third sentence has been added, "I understand these Terms of Reference are acceptable to the parties concerned." A new sentence has been added to the end of paragraph b., "I should like to be informed of final JCS/Director, NRO concurrence on these matters by June 10, 1963." In paragraph c., after the words "Director, NRO" are added the words "concurred in by the Chiefs." A portion of that same sentence, starting with the word "cease" to the end of the paragraph, is eliminated and in its place is "will shift to the Joint Chiefs of Staff in periods of tension. Such shifts of responsibility will be submitted to the Secretary of Defense for approval." These are the only changes.

2. I do not like the implication that we find the terms of reference acceptable, although it may not be intended to refer to us. I do not understand the deadline of 10 June, and I certainly do not understand what is meant by the shift from NRO to the Joint Chiefs in periods of tension. The total of these changes, however, is to increase the position of the Joint Chiefs in the picture. If, however, we are not going to fight the basic problem, I suggest the following changes in the Terms of Reference:

a. The second portion of paragraph 1 should be eliminated. It lays the groundwork for an interpretation with later language that the JRC will control the CIA functions and operations.

b. Paragraph 2. b. should be eliminated. If anything is said it should be that CIA has negotiated satisfactory arrangements for the support required from the military for NRO/CIA missions.

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c. I do not understand the wording in paragraph 2. d. ,
"lacking specific instructions to the contrary. "

d. With regard to paragraph 2. e. , the NRO Agreement of March 13, 1963 states in paragraph III. B. that the NRO is responsible for the management of all aspects of the NRP, including "Responding directly and solely to the intelligence collection requirements and priorities established by the United States Intelligence Board. "

e. In paragraph 2. f. , in the section pertaining to JCS conducted activities, it seems to me the words "Subject to NRO coordination" should be inserted before the words "Peripheral flights. "

f. In paragraph 2. g. , in the second sentence, the words "the Director of Central Intelligence" should be inserted after the words "the Secretary of Defense, " and the words "either JCS or" should be eliminated.

g. In paragraph 2. h. a comma should replace the period at the end of the second sentence and the words added "and is kept currently informed by the NRO/CIA OpCen of its plans and operations. "

h. In paragraph 3. a. the title should be "Chief for JCS Operations, NRO Staff. "

i. Paragraph 3. b. should have its title changed accordingly, and there should be added at the end the words "but not the CIA OpCen. "

j. Paragraph 3. c. should read "The NRO/AOC may be augmented by qualified personnel of CIA and appropriate organizations with DOD by joint agreement. "

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General Counsel

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